



City of Rochester

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Spencer L. Ash
Municipal Attorney

April 20, 2022

Hon Elizabeth A. Wolford
U.S. Magistrate Judge
100 State Street
Rochester, NY 14614

Re: Meeks v. City of Rochester, et al.
Civil Action No.: 22-cv-6163

Dear Judge Wolford:

The City objects to Mr. Shields letter namely, its characterizations of our effort to spare the Court the trouble of baseless motion practice as an “admission”. The City also objects to Mr. Shields’ gratuitous disclosure of conversations with my office. Mr. Shields has framed a federal Failure to Intervene claim as state cause of action just like he has done countless other times when his pleadings required amending, and in some cases multiple amendments. His insertion of a federal law claim along with the fact that nearly all police related cases involving his clients have been heard in federal court provided a good faith basis for the City’s decision to remove. The City does not retrench from the merit of that decision, we simply do not wish to mire the Court in motion practice motivated by Mr. Shields’ overzealous and typically adversarial posture.

Prior to the current motion to remand I asked Mr. Shields to amend this Complaint. He refused. Prior to the motion for a protective order I offered to stipulate to sealing and remand if he relented from his baseless costs application. He refused. Even now, his letter dated today is an exposition of grievances when the Court instructed him to do little more than advise inform as to whether he was moving forward with his costs application. He has characterized my conduct as “improper” in a transparent effort to justify what is essentially a sanctions application. This, despite the fact that at all times during this case I have tried to mediate with Mr. Shields—reaching out to him very early in these proceedings. From the very beginning he has chosen to be unreasonable.

Sincerely,

/s/

Spencer L. Ash
Municipal Attorney



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